

MONTANA LEGISLATIVE HISTORY

Chapter 570 19 89

Bill H _____ S 293 Original bill & history ____C

H. Committee on Judiciary

S. Committee on Judiciary

Hearing Date(s) Mar 09 ✓ C

Hearing Date(s) Feb 03 ✓ C

_____ C

_____ C

_____ C

_____ C

_____ C

_____ C

Date Out Mar 09 ✓ C

Feb 03 ✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____

Report _____

SENATE FINAL STATUS

TRANSMITTED TO HOUSE
 2/21 REFERRED TO HUMAN SERVICES & AGING
 3/08 HEARING
 3/09 COMMITTEE REPORT--BILL CONCURRED
 3/11 2ND READING CONCURRED 83 2
 3/13 3RD READING CONCURRED 98 1

RETURNED TO SENATE
 3/16 SIGNED BY PRESIDENT
 3/17 SIGNED BY SPEAKER
 3/17 TRANSMITTED TO GOVERNOR
 3/22 SIGNED BY GOVERNOR
 CHAPTER NUMBER 245 EFFECTIVE DATE: 3/22/89

SB 290 INTRODUCED BY HARDING, ET AL.
 REVISE REGULATION OF MUNICIPAL UTILITY RATES

1/30 INTRODUCED
 1/30 REFERRED TO TAXATION
 1/31 FISCAL NOTE REQUESTED
 2/06 FISCAL NOTE RECEIVED
 2/07 FISCAL NOTE PRINTED
 2/08 HEARING
 DIED IN COMMITTEE

SB 291 INTRODUCED BY CRIPPEN
 REPEAL PUBLIC CAMPAIGN FUND ACT

1/31 INTRODUCED
 1/31 REFERRED TO JUDICIARY
 2/03 HEARING
 2/04 COMMITTEE REPORT--BILL PASSED
 2/07 2ND READ DO PASS MOTION FAILED 23 24
 2/07 MOTION TO INDEFINITELY POSTPONE FAILED 24 24
 2/07 REREFERRED TO JUDICIARY
 DIED IN COMMITTEE

SB 292 INTRODUCED BY HAMMOND, ET AL.
 REQUIRE STUDENT IN INTERSTATE COMPACT PROFESSIONAL
 PROGRAM TO REPAY STATE

1/31 INTRODUCED
 1/31 REFERRED TO EDUCATION & CULTURAL RESOURCES
 2/01 FISCAL NOTE REQUESTED
 2/09 FISCAL NOTE RECEIVED
 2/10 FISCAL NOTE PRINTED
 2/13 HEARING
 2/16 COMMITTEE REPORT--BILL NOT PASSED
 2/16 ADVERSE COMMITTEE REPORT ADOPTED 33 7

SB 293 INTRODUCED BY MAZUREK, ET AL.
 PROHIBIT MALICIOUS INTIMIDATION OR HARASSMENT OF
 PERSONS BECAUSE OF RACE, CREED, RELIGION, COLOR,
 NATIONAL ORIGIN, OR CIVIL RIGHTS ACTIVITIES

1/31 INTRODUCED
 1/31 REFERRED TO JUDICIARY
 2/03 HEARING
 2/04 COMMITTEE REPORT--BILL PASSED
 2/07 2ND READING PASSED 50 0

SENATE FINAL STATUS

2/09	3RD READING PASSED	50	0
	TRANSMITTED TO HOUSE		
2/21	REFERRED TO JUDICIARY		
3/09	HEARING		
3/10	COMMITTEE REPORT--BILL CONCURRED AS AMENDED		
3/13	2ND READING CONCURRED	95	1
3/15	3RD READING CONCURRED	89	1
	RETURNED TO SENATE WITH AMENDMENTS		
4/01	2ND READING AMENDMENTS CONCURRED	48	0
4/04	3RD READING AMENDMENTS CONCURRED	49	0
4/11	SIGNED BY PRESIDENT		
4/17	SIGNED BY SPEAKER		
4/18	TRANSMITTED TO GOVERNOR		
4/18	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 570 EFFECTIVE DATE: 10/01/89		

SB 294 INTRODUCED BY RAPP-SVRCEK, ET AL.
 REGULATE TAKING OF AQUATIC FISH FOOD ORGANISMS
 FOR COMMERCIAL SALE
 BY REQUEST OF DEPARTMENT OF FISH, WILDLIFE,
 & PARKS

1/31	INTRODUCED		
1/31	REFERRED TO FISH & GAME		
2/09	HEARING		
2/10	COMMITTEE REPORT--BILL PASSED		
2/14	2ND READING PASSED	47	0
2/16	3RD READING PASSED	46	2
	TRANSMITTED TO HOUSE		
2/21	REFERRED TO FISH & GAME		
3/09	HEARING		
3/10	COMMITTEE REPORT--BILL CONCURRED		
3/11	2ND READING CONCURRED	87	4
3/13	3RD READING CONCURRED	96	3
	RETURNED TO SENATE		
3/16	SIGNED BY PRESIDENT		
3/17	SIGNED BY SPEAKER		
3/17	TRANSMITTED TO GOVERNOR		
3/22	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 246 EFFECTIVE DATE: 3/22/89		

SB 295 INTRODUCED BY HAGER
 LIMIT LIABILITY IN HAZARDOUS WASTE SPILL CLEANUPS

1/31	INTRODUCED		
1/31	REFERRED TO NATURAL RESOURCES		
2/01	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
2/03	HEARING		
2/09	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/11	2ND READING PASSED	46	0
2/14	3RD READING PASSED	45	2
	TRANSMITTED TO HOUSE		
2/21	REFERRED TO NATURAL RESOURCES		
3/08	HEARING		

SENATE BILL NO. 293

INTRODUCED BY MAZUREK, ELLIOTT, VAN VALKENBURG, DARKO,
GOULD, O'KEEFE, COHEN, REHBERG, L. NELSON, COCCHIARELLA,
SPRING, MCDONOUGH, WYATT, PECK, BROOKE, BACHINI, CONNELLY,
PETERSON, BRADLEY, LEE, GERVAIS, GOOD, CAMPBELL, ZOOK,
HOFFMAN, VINCENT, GIACOMETTO, KNAPP, KELLER, HARPER,
ADDY, MENAHAN, DRISCOLL, STANG, BARDANOUVE, RUSSELL,
STICKNEY, KILPATRICK, CLARK, DAILY, PAVLOVICH, SPAETH,
MERCER, THOMAS, PATTERSON, SIMON, PHILLIPS, IVERSON,
O'CONNELL, MCCORMICK, SQUIRES, KADAS, HANSEN,
DAVIS, KOEHNKE, RAPP-SVRCEK, MOORE

IN THE SENATE

JANUARY 31, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 4, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 6, 1989	PRINTING REPORT.
FEBRUARY 7, 1989	SECOND READING, DO PASS.
FEBRUARY 8, 1989	ENGROSSING REPORT.
FEBRUARY 9, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 9, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
FEBRUARY 20, 1989	FIRST READING.
MARCH 10, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 13, 1989	SECOND READING, CONCURRED IN.

MARCH 15, 1989

THIRD READING, CONCURRED IN.
AYES, 89; NOES, 1.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 1, 1989

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 4, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *293* *Phil Chen*
 2 INTRODUCED BY *Therese Elliott Van Valkenburg Stark*
 3 *L. Nelson* *Collicutt* *Grant* *Paul* *Connelly* *Peterson*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT MALICIOUS *Brady*
 5 INTIMIDATION OR HARASSMENT OF PERSONS BECAUSE OF RACE, *Vincent*
 6 CREED, RELIGION, COLOR, NATIONAL ORIGIN, OR INVOLVEMENT IN *Monahan*
 7 CIVIL RIGHTS OR HUMAN RIGHTS ACTIVITIES; AND TO ENHANCE THE *St. Louis*
 8 PENALTY FOR OTHER OFFENSES COMMITTED BECAUSE OF THE VICTIM'S *Thomas*
 9 RACE, CREED, RELIGION, COLOR, NATIONAL ORIGIN, OR *Phillips*
 10 INVOLVEMENT IN CIVIL RIGHTS OR HUMAN RIGHTS ACTIVITIES." *Moore*

11
 12 WHEREAS, the Legislature finds and declares that it is
 13 the right of every person, regardless of race, creed,
 14 religion, color, national origin, or political or religious
 15 ideas, to be secure and protected from fear, intimidation,
 16 harassment, and physical harm caused by the activities of
 17 groups and individuals; and

18 WHEREAS, the Legislature recognizes the constitutional
 19 right of every citizen to harbor and express beliefs on any
 20 subject and to associate with others who share similar
 21 beliefs; and

22 WHEREAS, it is not the intent, by enactment of [this
 23 act], to interfere with the exercise of rights protected by
 24 the constitution of the State of Montana or the United
 25 States; and

1 WHEREAS, the Legislature further recognizes and finds
 2 that the advocacy of unlawful acts by groups or individuals
 3 against other persons or groups for the purpose of inciting
 4 and provoking damage to property and bodily injury or death
 5 to persons is not constitutionally protected, poses a threat
 6 to public order and safety, and should be subject to
 7 criminal sanctions.

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF
 10 MONTANA:

11 NEW SECTION. **Section 1. Malicious intimidation or**
 12 **harassment.** (1) A person commits the offense of malicious
 13 intimidation or harassment when, because of another person's
 14 race, creed, religion, color, national origin, or
 15 involvement in civil rights or human rights activities, he
 16 purposely or knowingly, with the intent to terrify,
 17 intimidate, threaten, harass, annoy, or offend:

18 (a) causes bodily injury to another;
 19 (b) causes reasonable apprehension of bodily injury in
 20 another; or

21 (c) damages, destroys, or defaces any property of
 22 another or any public property.

23 (2) For purposes of this section, "deface" includes
 24 but is not limited to cross burning or the placing of any
 25 word or symbol commonly associated with racial, religious,

1 or ethnic activities on the property of another person
2 without his or her permission.

3 NEW SECTION. Section 2. Penalty. A person convicted
4 of the offense of malicious intimidation or harassment shall
5 be imprisoned in the state prison for a term not to exceed 5
6 years or be fined an amount not to exceed \$5,000, or both.

7 NEW SECTION. Section 3. Sentence enhancement --
8 offenses committed because of victim's race, creed,
9 religion, color, national origin, or involvement in civil
10 rights or human rights activities. (1) A person who has been
11 found guilty of any offense, except malicious intimidation
12 or harassment, that was committed because of the victim's
13 race, creed, religion, color, national origin, or
14 involvement in civil rights or human rights activities or
15 that involved damage, destruction, or attempted destruction
16 of a building regularly used for religious worship, in
17 addition to the punishment provided for commission of the
18 offense, may be sentenced to a term of imprisonment of not
19 less than 2 years or more than 10 years, except as provided
20 in 46-18-222.

21 (2) An additional sentence prescribed by subsection
22 (1) shall run consecutively to the sentence, except as
23 provided in 46-18-222.

24 NEW SECTION. Section 4. Severability. If a part of
25 [this act] is invalid, all valid parts that are severable

1 from the invalid part remain in effect. If a part of [this
2 act] is invalid in one or more of its applications, the part
3 remains in effect in all valid applications that are
4 severable from the invalid applications.

-End-

HEARING ON SENATE BILL 293

Presentation and Opening Statement by Sponsor: Senator Joe Mazurek of Helena, representing District 23, said he was sure that all present were aware of the hate groups present in the Northwest, such as the white supremacist organization at Hayden Lake, Idaho. Many groups had, he said, designated the northwestern part of the United States at their homeland. The citizens feel they have a right to protect against this, he said. Helena was recently informed that a group of this type intended to establish their headquarters here and a task force formed in an effort to discourage it. That task force, he said had been instrumental in the drafting of this legislation. Senator Mazurek referred to a book entitled, "Talked To Death" by Stephen Singular, saying it was a book about a Jewish talk-show host who had been murdered. The book pointed connections that people in Montana had with that murder, he said. One of the defendants who was ultimately convicted was found in Troy, shell casings from the murder were found in Troy, and one of men had resided in Bonner, MT. Washington and Idaho are taking a strong response to harassment and intimidation these organizations use. Because of it, many of these people are coming to northwest Montana. Rep. Elliott, former Senator McCallum, and Senator Rapp-Svrcek are all concerned about their area, said Sen. Mazurek. He distributed a partial list of extremist group activities in Montana (see Exhibit 2). He said that Montana needed to take a positive stand in telling these people they were not welcome, and he offered the bill as a response. The bill would make malicious intimidation and harassment a felony offense, and would provide sentence enhancement where other crimes are committed against a person because of race, creed etc. (see title of bill). He reviewed the bill and urged its serious consideration.

List of Testifying Proponents and What Group they Represent:

Representative Jim Elliot, Sanders County, District 51
and Sanders County Task Force
Peter Funk, Department of Justice
Tim Williams, president of the Task Force on Human
Dignity
Tom Lopach, himself
John Connors, County Attorney's Association
Mark Racicot, Attorney General, his office

Reverend David Orendorff, St. Paul's Methodist Church
Representative Angela Russell, Lodge Grass, Dist. 99
Mona Jamison, herself
Don Judge, 42,000 members of the Montana AFL-CIO

List of Testifying Opponents and What Group They Represent:

There were none.

Testimony:

Representative Jim Elliot, stated that Sanders county is concerned about becoming a headquarters for this type of organization. When a meeting was held at Noxon High School to address the issue, over 350 attended, indicating the grave concern to the community. He said the Aryan Nations community is just 20 miles away from the county. He felt the bill would send a message "loud and clear" to these groups. He said that many residents of the area had intended coming, but had been prevented by the cold weather. He distributed written testimony to members of the committee. See Exhibit 3.

Tim Williams said he was concerned about the convention of "skinheads" which was scheduled for April, 1989. He distributed a letter telling of the convention and documentation of serious acts of physical violence that had occurred in the Hayden Lake area. See Exhibit 4.

Tom Lopach, read written testimony into the record. See Exhibit 5.

John Connors said the Montana County Attorneys Association supports this kind of legislation and the concepts it espouses, that it believes the time is right and the need is there. For all the reasons already articulated and which would be articulated by other proponents, they urged passage of the bill.

Mark Racicot would like to point out three things, he said. He agreed there is a serious problem in Sanders County; this bill will specifically address the problems in one area of statute; and, third, it sends a strong message to the people involved that their activities are not going to be tolerated in Montana.

Reverend David Orendorff said he favored the bill, saying many members of his church were minorities who had

experienced discrimination in various ways. He said that groups such as the Aryan Nation espoused Christian ideology and his church wished to detach themselves from groups of this type.

Rep. Angela Russell, of Lodge Grass, supported the bill, saying malicious intimidation and harassment based on race is totally unacceptable. This issue, she said, is not new to the people of color in Montana or in this country. She urged favorable consideration of the bill.

Mona Jamison urged support of the bill. She said it is important that we indicate through our laws what our opinion is of the activities carried out by these groups. She thought there was urgency in passing the law before there were too many concrete examples of harassment. Even in the bill there is an acknowledgement of the rights of these groups to espouse their beliefs, but in carrying out acts of harassment, extension of their rights is gone. This law will to observe their rights and freedoms, and she felt it was befitting of Montana and her history.

Don Judge said he would like to speak for 42,000 members of the AFL-CIO to encourage passing of the bill. He said his group is active in the Northwest Coalition in Suppressing Malicious Harassment developed because of the Idaho situation.

Questions From Committee Members: Senator Pinsoneault asked if this bill gives a measure of protection to these groups that espouse the violent overthrow of the government that we might not want. Mr. Racicot felt not. He stated that the syndicalism portion of the law addressed that subject.

Senator Pinsoneault gave an example of a pro-life advocate spray-painting an abortion clinic and asked if that would be a violation of this law. Mr. Racicot said it possibly could be.

Senator Pinsoneault said he could see a possibility of more prosecutions and a need for more prosecutors. Mr. Racicot said he didn't see it as a major problem. He did see a need to address this specific situation.

Senator Halligan asked if anyone knew of challenges in court regarding freedom of speech and how that might be addressed in this bill. Senator Mazurek said he didn't know of any challenges in Idaho or Washington.

Senator Bishop asked if he hit Sen. Yellowtail, would it be misdemeanor assault and Senator Mazurek answered yes. Senator Bishop said if he called him a name and hit him, would it then be a felony. Senator Mazurek said it would, if the name calling showed you were hitting him because of his race, creed or other stipulations of the bill. Senator Bishop asked Senator Mazurek if it would be a felony to call him a damned Catholic. Senator Mazurek said it could, although there is some discretion allowed. He noted that much of the recruiting for groups of this type is done in prison. Senator Crippen said if a person had a history of being discriminatory, that would be taken into account.

Senator Pinsoneault said, as a former trustee of a school board, he knew of a lot of requests for home schools for families in these groups. Senator Mazurek said the home school statute is fairly liberal, but didn't know how it could be addressed in this bill. The main thing this bill attempted to do was keep their actions from infringing on others rights.

Closing by Sponsor: Senator Mazurek asked the committee to seriously consider passage of the bill. He closed the hearing.

DISPOSITION OF SENATE BILL 293

Discussion: After some discussion, it was the consensus of the committee to take action on the bill.

Amendments and Votes: There were no amendments.

Recommendation and Vote: Senator Brown MOVED that Senate Bill 293 DO PASS. The MOTION CARRIED UNANIMOUSLY.

HEARING ON SENATE BILL 291

Presentation and Opening Statement by Sponsor: Senator Crippen of Billings, representing District 45, opened

ROLL CALL

JUDICIARY

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date Feb. 3, 1989

NAME	PRESENT	ABSENT	EXCUSED
SENATOR CRIPPEN	✓		
SENATOR BECK	✓		
SENATOR BISHOP	✓		
SENATOR BROWN	✓		
SENATOR HALLIGAN	✓		
SENATOR HARP	✓		
SENATOR JENKINS	✓		✓
SENATOR MAZUREK	✓		
SENATOR PINSONEAULT	✓		
SENATOR YELLOWTAIL	✓		

Each day attach to minutes.

2-3-89

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Don Ingels	MT Chamber of Commerce	SB 255	X	
MARC Racicot	AG	SB 255 SB 293	X	
John Connor	AG	SB 293		
HOL Bob Adams	Human Rights	SB 255	X	
Patricia Beckstrom	Dept. of Mts. Vehicles	HB 260	X	
Ken Toole	Self	SB 293	X	
Tom Sparach	Self	SB 293	X	
Jim Elliott	HD 51	SB 293	X	
" "	Sanders Co Task Force	SB 293	X	
Peter Funk	Dept. of Justice	HB 260	X	
David Orndorff	St. Paul's United Methodist	SB 293	X	
Jim Mockler	MT Coal Coalition	SB 255	X	
Jane MacIntyre	Human Rights Div.	SB 293		
Don Judge	MT STATE AFL-CIO	SR 255		X
Merrin Barber	Big Timber, self	SR 193 SR 255	X	
Don Judge	MT STATE AFL-CIO	SR 293	X	
Angela Russell	HD 99	SB 293	X	
Tim Williams	Task Force on Human Dignity	SB 255	X	

*Mazurk
Handwritten*

Partial List of Extremist Group Activities In Montana

April 18, 1984	S.S. Action Group drops pamphlets in Helena.
August 1, 1984	Jerome Pederson, Posse Comitatus member, arrested by heavily armed law enforcement officials on tax evasion charges in Wolf Point, Montana.
December 27, 1984	Montana man tied to \$5000,000.00 armored car robbery in Seattle.
December 27, 1984	Agricultural Protective Association of Montana formed.
January 12, 1985	Arms cache found in Kalispell linked to Andrew Barnhill and Richard Kemp, Order members.
May 3, 1985	Cross burned on the lawn of an inter-racial couple.
May 9, 1985	Steven J. Scott, Covenant, Sword, the Arm of the Lord member, arrested in Virginia City on murder charges for an Arkansas murder.
June 16, 1985	Montana National Guard tightens security in response to efforts by a para military group member to infiltrate.
October 19, 1985	Cartridge casings from the machine gun used to murder Denver talk show host, Alan Berg, discovered in a residence in Troy, Montana.
November 22, 1985	Andrew Barnhill and Richard Kemp arrested in a Kalispell Bar on racketeering charges stemming from the FBI's investigation of the Order.
January 14, 1986	National Agricultural Press Association meeting in Malta, Montana.
January 16, 1986	State political leaders denounce a proposal by white supremacist, Larry McCurry, to cut ethnic groups' citizenship.
April 1, 1986	Nazi threats to Billings high schools.

April 13, 1986	Sheriff Larry Broadbent, Kootenai County, Idaho, reports that the Aryan nation Church is considering a move to Montana.
July 12 & 13, 1986	Aryan Nations Congress meeting in Hayden Lake, Idaho to promote whites only "Homeland" in Washington, Oregon, Idaho, Montana and Wyoming.
October 2, 1986	Church of Jesus Christ Christian - Aryan nations declare their republic encompassing the states of Washington, Oregon, Idaho, Montana and Wyoming.
November 28, 1986	White separatist, Robert Miles, says he was "half-teasing" about moving his headquarters to Miles City, Montana.
April 20, 1987	Police car in Missoula bombed, caller claims credit for the Aryan nation.
October, 1987	White Student Union, Aryan Youth movement literature posted on University of Montana campus.
March 27, 1988	Supremacists from Montana and Washington attend Human Rights Rally in Noxon.
April 25, 1988	Cross burning reported in Wadsworth.
July 21, 1988	Media reports League of Pace Amendment Advocates, a supremacist group, considers moving its headquarters to Helena.
July 23, 1988	League of Pace Amendment Advocates rally in the Bitterroot Valley (marked by poor attendance).
August 28, 1988	League of Pace Amendment Advocate takes out a full page add in the Independent Record announcing move to Helena.
October, 1988	Demolished car found on McDonald Pass. A swastika and the words "we are here" painted on the roof.
December 1988	East Helena couple found murdered in Bonner's Ferry Idaho. Drugs, weapons and supremacist literature found on the premises.
December 23, 1988	A thirteen year old Black assaulted by five white adults in Bozeman.



REPRESENTATIVE JIM ELLIOTT

HOUSE DISTRICT 51

HOME ADDRESS:

100 TC ROAD
TROUT CREEK, MONTANA 59874
PHONE: (406) 827-3671

HELENA ADDRESS:

CAPITOL STATION
HELENA, MONTANA 59620
PHONE: (406) 444-4800

The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

SENATE JUDICIARY

FILE NO. 3

DATE 2-3-89

BILL NO. SB 293

Elliott

COMMITTEES:

FISH & GAME, VICE CHAIRMAN
TAXATION
AGRICULTURE

TESTIMONY ON SB 293

BEFORE SENATE JUDICIARY COMMITTEE

3 FEBRUARY, 1989

THE SANDERS COUNTY TASK FORCE FOR HUMAN DIGNITY WAS FORMED IN MAY OF 1988 TO RESPOND TO RACIST INTRUSION IN WESTERN MONTANA. RACIAL SEPARATISTS BEGAN TO MOVE QUIETLY TO SANDERS COUNTY APPROXIMATELY FOUR YEARS AGO. WITH TIME THEY BECAME MORE VISIBLE, INITIALLY BY DISTRIBUTING "TAX PROTEST" LITERATURE WITH RACIAL UNDERTONES AND BY HOLDING BIBLE STUDIES THAT PROMOTED IDENTITY THEOLOGY. BECOMING BOLDER IN THE EARLY SPRING OF 1988, SOME OPENLY PROMOTED THEIR RACIST VIEWS ON A REGULAR BASIS IN A LOCAL BAR. THE CAUCASIAN OWNER OF THAT BAR HAS A BLACK SON-IN-LAW LIVING IN THE AREA, AND ONE OF THE BARTENDERS AT THE TIME WAS CHICANO. IN MARCH, THE "CONSTITUTIONALISTS" HELD A PUBLIC MEETING TO DISPEL RUMORS. THE MEETING RAISED MORE QUESTIONS THAN IT ANSWERD. FINALLY, IN EARLY MAY, A SPOKANE ABC AFFILIATE (KXLY) CARRIED A ONE WEEK IN-DEPTH DOCUMENTARY

EXHIBIT NO. 3, p. 2
DATE 2-3-89
BILL NO. SB 292

DURING THE EVENING NEWS EXPOSING THE RACIST MOVEMENT IN SANDERS COUNTY. THE PROGRAM SHOWED REPRESENTATION OF THE KLAN, ARYAN NATIONS AND CONSTITUTIONALISTS IN THE AREA. THE PUBLIC OUTCRY DEMANDED A RESPONSE--HENCE THE FORMATION OF THE TASK FORCE. STILL ONLY SEVERAL MONTHS OLD, THE TASK FORCE HAS OVER 200 REGISTERED MEMBERS AND THE BACKING OF THE CHAMBER OF COMMERCE FOR THE VALLEY. DUE TO THE VERY VIOLENT HISTORY OF SEVERAL ARYANS ASSOCIATED WITH THE ARYAN CHURCH OF NEARBY HAYDEN LAKE, IDAHO, MANY PEOPLE ARE ACTUALLY FEARFUL OF JOINING THE TASK FORCE BUT HAVE EXPRESSED SUPPORT OF ITS GOALS.

THE TASK FORCE HAS IN NO WAY TRIED TO SUPPRESS THE FREEDOM OF SPEECH AND THE FREE EXCHANGE OF IDEAS. THE TASK FORCE MAKES IT CLEAR, HOWEVER, THAT THE CONCEPT OF "RACIAL SUPERIORITY", AND THAT THE OFTEN USED PHRASE "EQUAL BUT SEPARATE" (RACIAL SEPARATISM) IS NOTHING BUT VERY THINLY-VEILED RACISM AT ITS WORST.

IN LESS THAN THREE MONTHS, THE ARYAN NATIONS OF PAYDEN LAKE, IDAHO WILL SPONSOR THE NATIONAL SKINHEAD CONFERENCE. A FEW SANDERS COUNTY ARYANS HAVE BEEN CLOSELY AND INDISPUTABLY LINKED WITH THE HAYDEN LAKE ARYAN NATIONS MOVEMENT. ALTHOUGH ARYAN LEADER RICHARD BUTLER AND HIS FOLLOWERS CLAIM THEY ARE THE ONES BEING HARASSED FOR PEACEFUL RELIGIOUS DIFFERENCES, ONCE AGAIN THE FACTS POINTING TO AT LEAST THE TOLERANCE OF VIOLENT CRIMINAL ACTS PREVAIL. THE ARYAN SKINHEAD MOVEMENT IS LARGELY BASED ON RACISM, CONFRONTATION AND VIOLENCE, AS

WAS RECENTLY SHOWN IN THE BRUTAL SKINHEAD ATTACKS IN
PORTLAND AND SEATTLE.

PERHAPS THE MOST DESTRUCTIVE ASPECT OF ARYAN'S "IN OUR BACKYARD"
IS THE LACK OF PIECE-OF-MIND SEVERAL OF OUR FELLOW MONTANANS
NOW SUFFER. VIOLENCE AND CRIMINAL ACTIVITY SURROUND THE
SKINHEADS, THE "NEO-NAZI" MOVEMENT, AND THE KU KLUX KLAN.
ALTHOUGH INDIAN, ASIAN, BLACK, CHICANO AND JEWISH MONTANANS
CANNOT KEEP THEIR NEIGHBORS FROM THINKING AND PROMOTING
RACIST VIEWS, THE MONTANA GOVERNMENT MUST DO EVERYTHING IN
ITS POWER TO PROTECT THE RIGHTS, FREEDOMS, AND PEACE-OF-MIND
OF ALL MONTANANS.

WE ARE FORTUNATE AT THIS TIME TO HAVE HAD NO RECORDED INCIDENTS
OF VIOLENT RACIAL OR RELIGIOUS HARASSMENT IN SANDERS COUNTY,
HOWEVER, THE POTENTIAL CERTAINLY EXISTS. RECENTLY, THE
STATE OF IDAHO HAS HAD THE LEAST NUMBER OF RACIAL/RELIGIOUS
INCIDENTS OF ANY NORTHWEST STATE. TONY STEWART, PRESIDENT
OF THE FIVE STATE NORTHWEST COALITION AGAINST MALICIOUS
HARASSMENT, FEELS THE LOW NUMBER OF MALICIOUS ACTS IS A
DIRECT RESULT OF STRONG COMMUNITY RESPONSE AND EFFECTIVE
LEGISLATION. YES, THE SKINHEADS WILL MEET IN IDAHO BECAUSE
RICHARD BUTLER IS STILL THERE. BUT YOU CAN BE SURE THAT
PARTICIPANTS OF THE SKINHEAD CONFERENCE ARE WELL INFORMED OF
THE LAW.

THE SANDERS COUNTY TASK FORCE FOR HUMAN DIGNITY WANTS TO
SEE NO ONE'S RIGHTS INFRINGED UPON. IT DOES, HOWEVER, SUPPORT
ANY LEGISLATION THAT PROMOTES THE RIGHT OF ALL MONTANANS TO

TO LIVE AND TRAVEL WITHIN THE STATE WITH PRIDE--NOT
FEAR BECAUSE OF THEIR RELIGIOUS PREFERENCES OR RACIAL BACKGROUNDS.

TIM MCWILLIAMS

PRESIDENT, SANDERS COUNTY TASK FORCE
FOR HUMAN DIGNITY

JE/EB

Mr. Norman L. Gissel
Kootenai County Task Force
on Human Relations
P.O. Box 548
1034 North Third Street
Coeur d'Alene, Idaho 83814
(208) 667-9574

SENATE JUDICIARY
EXHIBIT NO. 4, p. 1
DATE 2-3-89
BILL NO. SB 293

To: Representative Elliott
handout
pt 1

January 4, 1989

Richard Butler
P.O. Box 362
Hayden Lake, Idaho 83835

Dear Mr. Butler:

I am writing to you as the Chairman of the Kootenai County Task Force on Human Relations. We have learned about the upcoming skinhead meeting on April 21-23, 1989. We have concerns about the high risk of physical harm this conference poses to Kootenai County citizens.

Our concerns are based on the extremely high rate of serious criminal activity generated in the last several years by the members of the Order and other people including skinheads who hold white supremacist and white separatist views.

We wish to set forth a brief partial history of this conduct to illustrate our concerns. In the spring of 1984, members of the Order were responsible for two armored car robberies in the Seattle area. In July of 1984 in Ukiah, California, an armored car was held up by members of the Order. Over \$4,000,000.00 was forcefully taken from these armored cars. Also in 1984, Walter West, a member of the Order, was killed in Kootenai County by his fellow Order members. In June of 1984 Alan Berg, a talk show host in Denver, Colorado was shot in the back and killed by members of the Order. In October 1984, Gary Lee Yarborough, an Order member, while in Bonner County shot at U.S. FBI agents. He had in his possession the machine gun that was used to kill Alan Berg. In April 15, 1985, in Branson, Missouri, a Missouri State Trooper, Jimmy Linegar was shot to death by a member of the Order, David Tate. Trooper Allen Heins, who was with Trooper Linegar was wounded. In 1985, a member of the Aryan Nations, Eldon "Bud" Cutler paid \$10,000 to have Thomas Martinez decapitated. Fortunately, this contract to murder was with an undercover FBI Agent. Mr. Cutler was convicted and sentenced to jail for this attempt to purchase the death of Mr. Martinez. In

SENATE JUDICIARY

EXHIBIT NO. 4, p. 2DATE 2-3-89BILL NO. SB 293

MR. RICHARD BUTLER
Page 2

August of 1986, Larry Floyd Phillips, a white supremacist without provocation physically assaulted a black man named Larry Smith here in Coeur d'Alene. About that time Order II was formed.

In September of 1986, Mr. Robert Pires set off a bomb at the home of Father Bill Wassmuth a Coeur d'Alene Catholic priest. Also in September, Mr Pires went to Bonner County to murder Kenneth Shray, returned and set four bombs in Coeur d'Alene, three of which detonated. Recently, David Dorr pled guilty to conspiracy, racketeering, unlawful possession of firearms and two counts of making a pipe bomb. Deborah Dorr pled guilty to conspiracy to commit racketeering and counterfeiting. Edward Hawley pled guilty to conspiracy to commit racketeering, planting a pipe bomb and unlawful possession of firearms. Olive Hawley pled guilty to conspiracy to commit racketeering, possessing and concealing counterfeit money.

As to the "Skinheads" we have learned that Michael Cassey Martin, an 18 year old leader of the "Reich Skins" of the San Fernando Valley kicked an apartment door open at a mixed race housing project in Granada Hills, California. He terrorized a Hispanic family and while retreating Martin brandished a .380 automatic pistol to aid his getaway. He served 180 days in jail after pleading no contest to a charge of assault with a deadly weapon. Another Reich Skin, Philip Rowe was recently charged with attempted murder after he and several of his friends hitched a ride with a young Hispanic women in Van Nuys, California. Rowe allegedly abducted the woman, slit her throat and left her for dead. Skinheads, Scott Magee, age 18, and his brother Dean, age 16, murdered Isaac Walker in Tampa Bay, Florida. They beat the Black man and stabbed him once through the heart. Dean Magee was convicted of first degree murder and sentenced to life in prison. Scott, his older brother, received a five year jail sentence after becoming a witness for the State of Florida. In March of 1988 in Portland Oregon, a Singapore native Hock-seng Chin, was beaten by Skinheads. They first knocked him to the ground and then kicked him with their boots. You have learned I assume about the assault, July 30, 1988, on Raymond Hill, a Black man in Spokane by a skinhead. Billy Wayne Worl. Mr. Worl pulled the Black man from his car in the Safeway parking lot on Third Street in Spokane and proceeded to slash Mr. Hill with a knife. We believe that Mr. Hill has sustained permanent injuries to his arm. Mr. Worl was found guilty of second degree attempted murder and malicious harassment by a jury of his peers. In November, 1988, as you also know, Skinheads, Kenneth Mieski, Kyle Brewister, and Steven Strausser, allegedly, in an unprovoked attack, beat Mulugeta Seraw, an Ethiopian immigrant, with a baseball bat. The beating resulted in the death of Mr. Seraw. Mieski and Brewster have been charged with murder and are presently in custody. Mr. Strausser has been charged with second degree assault. Mieski and Brewster also face additional charges

EXP. NO. 4 p. 3
DATE 2-3-89
BILL NO. SB 293

MR. RICHARD BUTLER
Page 3

of assault and racial intimidation in a September 10, 1988, incident at a grocery store. Michael A. Barrett, also a Skinhead was charged with unlawful flight to avoid prosecution and escape. The charge relates to a Redwood City, California case involving vandalism of a place of worship.

There is much evidence and court verdicts across the country that indicates elements among the Skinhead movement have committed serious crimes of violence. Not only crimes but violent crimes of a random opportunistic nature. This random violent conduct is to be distinguished from crimes by members of the Order who carefully planned their murders and other felonies. But in both cases the results are violence and criminal conduct.

With this brief historical presentation, you can see why we now ask that you reconsider your decision to invite the Skinheads and other similarly motivated youth groups to your compound. The citizens of this area will be clearly at risk. The potential for being the victim of serious acts of physical violence may never be greater in Kootenai County. We ask that you weigh your desire to meet with these young people against the desire of the people of Kootenai County to be safe in their homes and in their daily activities.

If you decide to have the conference and a young racist armed with new found racial anger and a knife or baseball bat injures a citizen of this county during the conference at the very least we will hold you morally responsible.

Sincerely,

NORMAN L. GISSEL.
Chairman

NLG/jt

Dear Representative Elliott
AS per request.
The Chronicle of crimes listed above
is by no means exhaustive.

Feb 2 89

Yours Truly

TESTIMONY OF TOM LOPACH

SENATE BILL 293

SENATE JUDICIARY

MY NAME IS TOM LOPACH. I AM A FRESHMAN AT HELENA HIGH. THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY.

ON DECEMBER 23, 1988 A FOURTEEN YEAR OLD BLACK YOUTH IN BOZEMAN WAS ASSAULTED BY FIVE WHITE ADULTS. HIS NAME IS CHRIS PARADISE. CHRIS WANTED TO BE HERE TODAY TO SPEAK TO YOU PERSONALLY BUT THE WEATHER HAS NOT COOPERATED. I HAVE BEEN ASKED TO READ HIS TESTIMONY FOR HIM. HIS STATEMENT CONTAINS SOME STRONG LANGUAGE. I HOPE IT DOES NOT OFFEND ANY ONE. I THINK IT JUST SHOWS HOW UGLY A RACIAL ASSAULT IS.

TESTIMONY OF CHRIS PARADISE

SENATE BILL 293

SENATE JUDICIARY COMMITTEE

MY NAME IS CHRIS PARADISE I'M BLACK AND I HAVE LIVED IN BOZEMAN FOR ABOUT NINE YEARS NOW. I WAS BORN IN BUFFALO NEW YORK. I THANK YOU FOR GIVING ME THE CHANCE TO TESTIFY, I AM GLAD THAT YOU WANT TO HEAR WHAT I HAVE TO SAY. WELL, A COUPLE WEEKS AGO I WAS CONFRONTED BY FIVE WHITE GUYS. THEY WERE IN THEIR EARLY TWENTIES I THINK. I GUESS THEY WERE RACISTS. THEY STARTED YELLING SOME STUFF AT ME WHICH KIND OF ANNOYED ME. THEY WERE DRIVING DOWN THE STREET AND OUT OF THE WINDOW THEY WERE YELLING, "NIGGER, NIGGER, STUPID NIGGER." I FLIPPED THEM OFF AND THAT'S ALL I EVER DID. THEY JUST STOPPED IN THE MIDDLE OF THE ROAD AND THE FIRST GUY JUMPED OUT. HE SAID, "I'M GOING TO KICK YOUR ASS NIGGER, YOU DON'T FLIP ME OFF." THEN ONE THING LED TO ANOTHER AND I WAS GETTING BEAT UP BY THESE GUYS. AND I UNDERSTAND THAT IF THESE GUYS ARE CAUGHT IT MIGHT ONLY BE A MISDEMEANOR AND THAT'S NOT RIGHT. I DON'T THINK THAT'S RIGHT AT ALL BECAUSE WHAT THEY DID WAS REALLY

SERIOUS. I'M STILL REALLY HURT THAT THIS WOULD HAPPEN IN BOZEMAN.

I'VE LIVED HERE NINE YEARS AND NOTHING LIKE THIS HAS EVER HAPPENED TO

ME OR ANY OF MY FRIENDS I KNOW OF. I HAVE A LOT OF BLACK FRIENDS AND

A LOT OF INDIAN FRIENDS AND IT'S NEVER HAPPENED TO ANY ONE OF THEM

THAT I KNOW OF. I THINK THAT PEOPLE NEED TO BE AWARE THAT THIS

HAPPENS AND THAT PEOPLE THAT DO IT CAN'T JUST GET AWAY SCOT FREE

BECAUSE THIS IS NOT RIGHT.

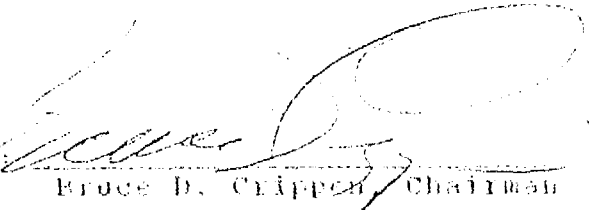
SENATE STANDING COMMITTEE REPORT

February 3, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration SB 293 (first reading copy -- white), respectfully report that SB 293 do pass.

DO PASS

Signed: 

Bruce D. Crippen, Chairman

HEARING ON SENATE BILL 293

Presentation and Opening Statement by Sponsor: Sen. Joe Mazurek, Senate District 23, stated SB 293 was an effort to have the legislature in the state of Montana take a strong position in opposition to the sort of terrorist and harassment activities some supremacist organizations use and give our law enforcement a tool with which to deal with some of the tactics some of these organizations have used in the past. SB 293 does two things: It creates a new offense--malicious intimidation or harassment, the effect of which is to say that if because of another person's race, creed, religion, color, national origin, or involvement in civil or human rights activities and accused purposely or knowingly with the intent to terrify, intimidate, threaten, harass, or in any way offend, that person can be convicted of the offense of malicious harassment or intimidation, a felony level offense. The bill also provides for sentence enhancement of two to five years. The bill does not infringe on anyone's right to belong to any of these organizations or to believe as he wishes about supremacy. This bill is intended to send a message Montana does not want to be a bastion of hate groups. Sen. Mazurek presented a partial list of extremist group activities in Montana (Exhibit 3) and a memorandum from Betty Babcock who was unable to attend the hearing (Exhibit 4). Sen. Mazurek also stated the Human Rights Division has suggested the following amendment:

Page 3, line 4.

Following: "ethnic"

Insert: "identity or"

Testifying Proponents and Who They Represent:

Jim Murry, Executive Secretary of the Montana State ALFCIO
Rep. Vicki Cocchiarella, House District 59
David Lyman, Sanders County Task Force for Human Dignity
John Connor, Montana Dept. of Justice
Tim McWilliams, Noxon High School Teacher
Mona Jamison, Self
Megan Hill, Montana Catholic Conference
Bill Verwolf, City of Helena
Rep. Jim Elliott, House District 51
Rep. Paula Darko, House District 2
Suzanne Hanlon, Citizen of Montana
Mike Craig, Associated Students of the University of Montana
Bill Fleiner, Captain of the Lewis and Clark County Sheriff's Dept.

Proponent Testimony:

Jim Murry, Executive Secretary of the Montana State AFLCIO, presented written testimony in support of SB 293 (EXHIBIT 5).

Rep. Vicki Cocchiarella, House District 59, appeared in support of SB 293 on behalf of a constituent in her district who was afraid to come to the hearing as he has been the subject of threats on his life and those of his family since 1953 because of an activity in which he participated.

David Lyman, member of the board of the Sanders County Task Force for Human Dignity, gave a brief overview of the history of racist groups in the United States and the influx of such groups into the state of Montana. Mr. Lyman submitted examples of the kind of literature these groups are distributing (EXHIBITS 6, 7, and 8).

John Connor, Montana Department of Justice, appeared in support of SB 293 representing Attorney General Marc Racicot and the Montana County Attorneys Association. As the county attorney is the person responsible for prosecuting this offense if this bill is enacted, the Montana County Attorneys Association welcomes that opportunity. Although there are statutes in the codes now, they are not as specific or serious as this bill. Mr. Connor does not believe this bill will be used to a large extent because it provides for the proof of additional elements, all of which would have to be proved beyond a reasonable doubt, but it would be there when it is needed.

Tim McWilliams, Noxon high school teacher and President of Sanders County Task Force for Human Dignity, spoke in support of SB 293. Mr. McWilliams outlined the history of racist activities in Noxon and the history of the Sanders County Task Force for Human Dignity. Mr. McWilliams presented literature from the Task Force for submission into the record (EXHIBIT 9).

Mona Jamison, representing herself, spoke in support of SB 293. She did not believe this bill impacts those persons who wish to have negative, racist, or evil thoughts, but it protects others who don't. If their feelings of hatred impact our lives, this bill gives us a way to deal with it.

Megan Hill, representing the Montana Catholic Conference, presented written testimony in support of SB 293 (EXHIBIT 10).

Bill Verwolf, representing the City of Helena, spoke in support of SB 293. He stated the City of Helena has requested at least one of these organizations to not establish its national headquarters in Helena. They feel this statute is necessary to protect people who are going about their business in a reasonable manner. They are hopeful it creates less of a haven in the state of Montana for that sort of activities.

Rep. Jim Elliott, House District 51, spoke in support of SB 293 and stated the bill will prevent people from being beaten, tortured, and killed because of their race or political actions.

Rep. Paula Darko, House District 2, spoke in support of SB 293. She felt this bill is one step toward preventing racist activities from occurring.

Suzanne Hanlon, citizen of Montana, supported SB 293 very strongly.

Mike Craig, representing the Associated Students of the University of Montana, presented written testimony in support of SB 293 (EXHIBIT 11).

Bill Fleiner, Captain of the Lewis and Clark County Sheriff's Department, representing the Montana Sheriffs and Peace Officers Association, stated they were in support of this legislation. From a local law enforcement perspective in terms of information they would want to know in relation to these types of groups, Mr. Fleiner stated everything that has been stated here is true and is more vast than what has been stated.

Testifying Opponents and Who They Represent:

None.

Opponent Testimony:

None.

Questions from the Committee: Rep. Mercer asked about the distinction between someone who is doing this type of activity to cause bodily injury or reasonable apprehension of bodily injury and then into this concept of defacing property because the penalty is up to five years in prison. He asked whether there should be some distinction between

causing bodily injury or reasonable apprehension thereof and someone who for the purpose to annoy another places a religious symbol on someone else's property. Sen. Mazurek responded that like any criminal statute, you can devise a circumstance which is borderline within the purview of the language which is the law. He did not feel this is unlike a lot of other situations where you have to use the rule of common sense and prosecutorial discretion. He felt a prosecutor would still have available the offense of criminal mischief while watering this bill down to allow an escape route for someone who really should not come under the purview of this act would minimize the places where it can be effectively.

Closing by Sponsor: Sen. Mazurek thanked the committee for the hearing and those who traveled to speak in support of the bill.

DISPOSITION OF SENATE BILL 293

Motion: Rep. Darko moved SB 293 BE CONCURRED IN, motion seconded by Rep. McDonough.

Discussion: None.

Amendments, Discussion, and Votes: Rep. Darko moved SB 293 be amended as follows:

Page 3, line 1.

After: "ethnic"

Insert: "identity or"

The amendment was seconded by Rep. Eudaily and CARRIED unanimously.

Recommendation and Vote: Rep. Strizich moved SB 293 BE CONCURRED IN AS AMENDED, motion seconded by Rep. Brooke. Motion CARRIED with a unanimous vote.

DISPOSITION OF SENATE BILL 331

Motion: Rep. Stickney moved SB 331 BE CONCURRED IN, motion seconded by Rep. McDonough.

Discussion: None.

DAILY ROLL CALL

JUDICIARY

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date MARCH 9, 1989

NAME	PRESENT	ABSENT	EXCUSED
REP. KELLY ADDY, VICE-CHAIRMAN	X		
REP. OLE AAFEDT	X		
REP. WILLIAM BOHARSKI	X		
REP. VIVIAN BROOKE	X		
REP. FRITZ DAILY	X		
REP. PAULA DARKO	X		
REP. RALPH EUDAILY	X		
REP. BUDD GOULD	X		
REP. TOM HANNAH	X		
REP. ROGER KNAPP	X		
REP. MARY McDONOUGH	X		
REP. JOHN MERCER	X		
REP. LINDA NELSON	X		
REP. JIM RICE	X		
REP. JESSICA STICKNEY	X		
REP. BILL STRIZICH	X		
REP. DIANA WYATT	X		
REP. DAVE BROWN, CHAIRMAN			X

STANDING COMMITTEE REPORT

March 9, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that
SENATE BILL 293 (third reading copy -- blue) be concurred in
as amended .

Signed: _____
Kelly Addy, Vice-Chairman

[REP. ELLIOTT WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendment read:

1. Page 3, line 1.
Following: "ethnic"
Insert: "identity or"

EXHIBIT 3

SENATE JUDICIARY

DATE 3-9-89EXHIBIT NO. 2 *per*HB SB 293DATE 2-3BILL NO. SB 293

Partial List of Extremist Group Activities In Montana

April 18, 1984 S.S. Action Group drops pamphlets in Helena.

August 1, 1984 Jerome Pederson, Posse Comitatus member, arrested by heavily armed law enforcement officials on tax evasion charges in Wolf Point, Montana.

December 27, 1984 Montana man tied to \$5000,000.00 armored car robbery in Seattle.

December 27, 1984 Agricultural Protective Association of Montana formed.

January 12, 1985 Arms cache found in Kalispell linked to Andrew Barnhill and Richard Kemp, Order members.

May 3, 1985 Cross burned on the lawn of an inter-racial couple.

May 9, 1985 Steven J. Scott, Covenant, Sword, the Arm of the Lord member, arrested in Virginia City on murder charges for an Arkansas murder.

June 16, 1985 Montana National Guard tightens security in response to efforts by a para military group member to infiltrate.

October 19, 1985 Cartridge casings from the machine gun used to murder Denver talk show host, Alan Berg, discovered in a residence in Troy, Montana.

November 22, 1985 Andrew Barnhill and Richard Kemp arrested in a Kalispell Bar on racketeering charges stemming from the FBI's investigation of the Order.

January 14, 1986 National Agricultural Press Association meeting in Malta, Montana.

January 16, 1986 State political leaders denounce a proposal by white supremacist, Larry McCurry, to cut ethnic groups' citizenship.

April 1, 1986 Nazi threats to Billings high schools.

EXHIBIT 3
DATE 3-9-89
HB SB 293

SEN. J. J. ...
E. ... 2, 22
DATE 2-3-89
BILL NO. SB 293

April 13, 1986	Sheriff Larry Broadbent, Kootenai County, Idaho, reports that the Aryan nation Church is considering a move to Montana.
July 12 & 13, 1986	Aryan Nations Congress meeting in Hayden Lake, Idaho to promote whites only "Homeland" in Washington, Oregon, Idaho, Montana and Wyoming.
October 2, 1986	Church of Jesus Christ Christian - Aryan nations declare their republic encompassing the states of Washington, Oregon, Idaho, Montana and Wyoming.
November 28, 1986	White separatist, Robert Miles, says he was "half-teasing" about moving his headquarters to Miles City, Montana.
April 20, 1987	Police car in Missoula bombed, caller claims credit for the Aryan nation.
October, 1987	White Student Union, Aryan Youth movement literature posted on University of Montana campus.
March 27, 1988	Supremacists from Montana and Washington attend Human Rights Rally in Noxon.
April 25, 1988	Cross burning reported in Wadsworth.
July 21, 1988	Media reports League of Pace Amendment Advocates, a supremacist group, considers moving its headquarters to Helena.
July 23, 1988	League of Pace Amendment Advocates rally in the Bitterroot Valley (marked by poor attendance).
August 28, 1988	League of Pace Amendment Advocate takes out a full page add in the Independent Record announcing move to Helena.
October, 1988	Demolished car found on McDonald Pass. A swastika and the words "we are here" painted on the roof.
December 1988	East Helena couple found murdered in Bonner's Ferry Idaho. Drugs, weapons and supremacist literature found on the premises.
December 23, 1988	A thirteen year old Black assaulted by five white adults in Bozeman.

EXHIBIT 4
DATE 3-9-89
H/ SB 293

MEMORANDUM TO THE HONORABLE Joe
State Capital, Helena, MT 59601

FROM: Betty L. Babcock, Box 183, Wolf Creek, MT 59648
Chairman, State Advisory Committee, for the United
States Civil Rights Commission., and former legislator. *B.L. Babcock*

REGARDING: Senate Bill 293

Dated: February 12, 1989

As chairman, and on behalf of the State Advisory Committee on
Civil Rights I am writing to ask for your support of Senate
Bill 293.

Montana is in need of a strong law to prohibit Malicious
Intimidation or Harassment of persons because of Race, Creed,
Religion, Color, National Origin, or involvement in Civil
Rights or Human Rights activities and to enhance the penalty
for other offenses committed because of the Victim's Race,
Creed, Religion, Color, National Origin, or involvement in
Civil Rights or Human Activities.

As chairman of this committee many of these offenses have
been reported to me or come to my attention by way of the
news media. We will be holding a public forum along with the
states of Washington, Idaho, Oregon, South Dakota and Montana
for the purpose of collecting data for the United States
Civil Rights Commission and for the purpose of education.

I strongly and respectfully urge your support of this bill.



JAMES W. MURRY
EXECUTIVE SECRETARY

Box 1176, Helena, Montana

ZIP CODE 59624
406/442-1708

EXHIBIT 5
DATE -9-89
~~HB~~ SB 293

Testimony of Jim Murry before the House Judiciary Committee on Senate Bill 293, March 9, 1989

Mr. Chairman and members of the Committee, for the record, I am Jim Murry, Executive Secretary of the Montana State AFL-CIO, and am here today in support of Senate Bill 293 which would prohibit malicious intimidation or harassment of people because of their race, creed, religion, color, national origin or involvement in civil or human rights activities.

This legislation is in response to the increasing activities of hate groups in the Northwest, and is important for two reasons. First, it provides another tool for law enforcement officials to use to combat the intimidation, harassment and physical harm caused by these groups. And secondly, this legislation is an important signal to send to these groups that their illegal, immoral and unjust activities will not be tolerated here in Montana.

During the past several years, we have witnessed an influx of hate groups and their activities in the Northwest. Much of this is attributable to the call by these groups to establish an Aryan nation in our area. They have been particularly active in neighboring Idaho, Washington and Oregon. Wherever these groups have gone, they have spread their brand of violence and hatred.

In the past few years, they have become more and more active in Montana. They have enclaves of supporters around the state and are especially active in northwest Montana. Just last year, a 14 year old black student was assaulted in Bozeman because of his race. Montana is not a state which should tolerate such injustice in any form. Where laws like Senate Bill 293 have been enacted in Idaho and Washington, there has been a decline of the violent activities of these groups. They are known to weigh the political environment and the legal framework of an area before deciding the extent and the scope of their activities.

Montana should send these people a message that their hatred will not be welcome here. The message of the Montana Senate in this regard was loud and clear when they passed Senate Bill 293 without a dissenting vote. We sincerely urge this Committee and the Montana House of Representatives to do the same.

Thank you.

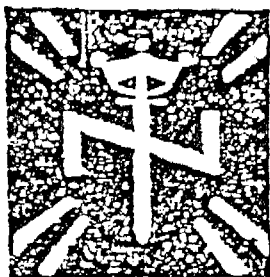
Official **RUNNIN' NIGGER** Target



BODY SHOTS COUNT 5
HEAD SHOTS COUNT 0
HEEL SHOTS COUNT 100

"Let The High Praises Of God
Be In Their Mouth,

ARYAN



NATIONS

Church of Jesus Christ Christian

P.O. Box 382
Hayden Lake, Idaho 83835

SUBJECT RESIDENTS OF THE ARYAN EMPIRE

SUMMER CONFERENCE AND NIGGER SHOOT - July 24, 25, 26, 1981

We are pleased to announce our Annual Summer Convergence and NIGGER SHOOT to be held at our Hayden Lake headquarters; as many subject residents in the Aryan Empire who wish to come are welcome.

There will be no charges to anyone bringing live targets. Paper practice targets are available for all races with range rules. A special prize will be given to the best Runnin' Nigger scores in the Shotgun, Pistol, and Sub Machine Gun categories. Niggers, Jews, Mexicans, Gooks, etc., are also welcome as live targets!

Camping areas and housing is available for everyone. Live targets must be housed in our special facility for security reasons.

Children are welcome and we will have special games arranged for them including some activities in the surrounding communities with green ribbon prizes.

On Sunday the 26th we will host an outdoor Barbeque and Chicken Fry with plenty of Watermelon for the best marksmen to share with you.

We want winners and to win you must be able to shoot. Civil Rights comes out of the barrel of a gun and we mean to give the Niggers and Jews all the Civil Rights they can handle.

Our "Official RUNNIN' NIGGER Target" is included with this announcement for you to practice on...the real thing is real fun.

Our Security Team will see that no live targets escape from the range. Any who refuse to run or can't for any reason will be fed to the dogs. The dogs appreciate a good f-ed as much as we do.

THE GREEN RIBBON SALESMAN OF ATLANTA will be honored whoever he is and a special pledge of support will be made for his continuing good works. Remember, every Nigger he gets is one that our children won't have to fight in the streets!

There will be a substantial force of Aryan Warriors in uniform and during the Conference we will descend upon the home of a local traitor and serve up Biblical Justice to the Godless one,

Richard G. Bush

DATE 3-9-89

HB 88 293

WHITE PEOPLE ARE EVIL. WE HATE WHITE PEOPLE. WE HATE OUR ANCESTORS. THEY ENSLAVED THIS GREAT RACE OF BLACK PEOPLE. THEY MADE BLACKS LIVE IN SLUMS AND DESIGNED I.Q. TESTS TO MAKE THIS DYNAMIC RACE OF INVENTORS AND EXPLORERS SEEM STUPID. WE LOVE THE BLACKS!

MY WIFE AND I HAD THE DOCTOR STERILIZE US SO WE COULDN'T HAVE ANY WHITE-DEVIL KIDS. NOW WE ARE ADOPTING BLACK KIDS TO CORRECT SOCIETY'S INJUSTICES.

SOMEDAY ALL THE PEOPLE IN THE WORLD WILL LOVE EACH OTHER - LIKE WE DO. OF COURSE, WE'LL HAVE TO GET RID OF THOSE ROTTEN WHITES... ROTTEN WHITES... ROTTEN WHITES... ROTTEN WHITES...



WHITE
MAN The

TERRITORIAL
IMPERATIVE

For More Information On Social Fascism, Write

SOCIAL NATIONALIST ARYAN PEOPLE'S PARTY
P.O. Box 1424 - Port Folio, Idaho 83254 - (208) 773-4631

OY, THESE ARE
GOOD PEOPLE



RACE TRAITORS

Those guilty of fraternizing socially or sexually with blacks now stand warned that their identities are being cataloged.

The country is in a Second Revolution which will restore complete authority into the hands of those people of European ancestry.

Those persons of alien race will be deported to Asia or Africa.

White persons consorting with blacks will be dealt with according to *the Miscegenation Section of the Revolutionary Ethic*:

1. Miscegenation is Race Treason;
2. Race Treason is a Capital Offense;
3. It will be punished by Death, automatic, by Public Hanging

Negroes involved in Miscegenation will be Shot as they are apprehended.

The
Revolutionary Government
of the
Aryan Nation



PO Box 526, Noxon, MT 59853 Spring 1989 Vol 1

Task Force Update

*"The voice of the Sanders County
Task Force for Human Dignity"*

Skinheads in Northwest

Richard Butler, head of the Aryan Nations/Church of Jesus Christ Christian, is hosting a national skinhead conference on April 21-23 at his Hayden Lake compound.

Members of the skinhead movement are generally easy to recognize. They stand out with closely shaven heads, military boots, and often wear swastikas on their clothing or have them tattooed on their faces and necks. Their numbers are reported as growing in Spokane, Portland, Seattle and other neighboring

"Aryan skinhead violence is increasing in intensity"

communities. There are currently two major factions in the skinhead movement. One group is non-Aryan, with members showing their rebelliousness through their outward appearance, use of drugs, and attraction to heavy metal music. The other faction is similar, but adds racism as its focal point.

Aryan skinhead violence is increasing in intensity in the Northwest. Skinheads are actively recruiting members in high schools and on street corners for an entire network of white separatist/racist organizations. Although the skinheads have frequently denied being white supremacists or Nazis, they distribute Neo-Nazi literature and chant racially-based hate slogans.

Reportedly tied to such groups as the White Aryan Nations/Church of Jesus Christ Christian, skinheads are actively being sought to add new vitality to many other racist organizations. Tom Metzger, leader of the White Aryan Resistance based in California, is planning to recruit skinheads in Seattle and is quoted as saying he is trying to "inject sane ideology" in them so they can be used as "front-line warriors" for his cause.

Skinheads have been associated with outbreaks of violence, assaults, vandalism and murder. Most recently, Billy Wayne Worl was convicted December 14, 1988, of the attempted

murder and malicious harassment of Spokaneite Ray Hill, Jr., a black man. Hill was attacked by Worl in a supermarket parking lot. Worl yelled racial slurs at Hill and slashed him on the wrist, chest and leg. Worl, a twenty-four year-old skinhead from Oklahoma, said he was attracted to Spokane because of Aryan activities in the area. He is quoted as saying he is a "Nazi American Christian racist" who is a believer in white supremacy. Worl did not know Hill when he attacked him; the attack was based solely on the color of Hill's skin.

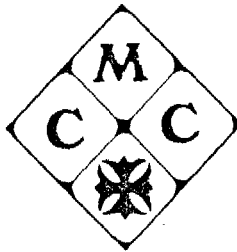
On January 18, 1989, Billy Worl was sentenced to fifteen years in prison: ten years for attempted second degree murder and five years for malicious harassment. This is the first conviction under Washington's malicious harassment law. The law makes it a felony to injure, intimidate, or harass anyone because of his/her race, color, or ancestry.

The murder of Mulugeta Seraw in Oregon last November was another extreme example of alleged recent skinhead violence. Seraw, an African working as a bus driver in Portland, was allegedly beaten to death by youths using bats. Two other African men were injured in the attack. Members of the skinhead faction known as the East Side White Pride have been charged with murder.

The Northwest is being targeted by skinheads, and racial organizations are using the skinheads to achieve their bigoted goals. Skinhead activity is expected to continue in the region.

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Montana Catholic Conference

EXHIBIT 10
DATE 3-9-89
HB. SB 293

March 9, 1989

CHAIRMAN BROWN AND THE HOUSE JUDICIARY COMMITTEE

I am Megan Hill, representing the Montana Catholic Conference.

The Catholic Church believes that all human beings are by their nature free and creative, and made so by their creator. Every person, regardless of creed or color, is endowed with human rights.

It is the duty of each of us to create a better world for future generations. SB 293 will help in the building of such a world. The MCC urges passage of SB 293.



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ASUM

Associated Students
University of Montana

EXHIBIT 11

DATE 3-9-89

~~HB~~ SB 293

Room 105
University Center

Missoula, MT 59812
(406) 243-2451

House Judiciary Committee

Senate Bill 293 - Sen. Mazurek

Hearing: March 9, 1989, Room 312-2

Mr. chairman and members of the committee, good morning.
For the record, my name is Mike Craig and I represent the
Associated Students of the University of Montana.

ASUM strongly supports Senate Bill 293. There are many
students attending the University who have "minority" or
"affected group" status and would therefore be potential targets
for those who subscribe to a "supremacist" doctrine.

Indeed, the presence of at least one extremist group is felt
on our own campus in Missoula. The University of Montana and
ASUM have taken a strong stand against the proliferation of
organizations that preach hate and violence, and encourage the
passage of any measure that promotes their demise. We feel that
Senator Mazurek's proposal is a welcome beginning to the end of
white supremacy in the State of Montana and in the Pacific
Northwest.

ASUM appreciates your support for Senate Bill 293. Thank
you for your time and consideration.

VISITORS' REGISTER

JUDICIARY

COMMITTEE

BILL NO. SENATE BILL 293DATE MARCH 9, 1989SPONSOR SEN. MAZUREK

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Megan Hill	MT. Catholic Conf.	✓	
Tom McWilliams	Sanders County Jail Force for Human Dignity	✓	
David Lyman	Sanders Cty Jail Force for Human Dignity	✓	
Mike Craig	Assoc. Students of Univ. of Mont	✓	
Jim Murray	Mont. State AFL-CIO	✓	
Bill Venneff	City of Helena	✓	
Shelly Laine	City of Helena	✓	
Jim Elliott	Trook Creele	✓	
Anne MacIntyre	Human Rights Comm.	—	
Suzanne Hanlon	self	✓	
John Connor	Dept of Justice MT County Atty Assn	✓	
Bill Fleiner	MONTANA SHERIFFS & PEACE OFFICERS	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.